

<b>CH. 13 PLAN - DEBTS SHEET</b> (MIDDLE DISTRICT - DESARDI VERSION)				Date: <b>4/14/10</b>	
				Lastname-SS#: <b>Lay-2665</b>	

  

RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN			
Retain	Creditor Name	Sch D #	Description of Collateral
	Golds Gym		Gym Membership
	Sprint		Cellular Service

  

SURRENDER COLLATERAL	
Creditor Name	Description of Collateral

  

ARREARAGE CLAIMS				
Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)
				**
				**
				**
				**
				**
				**
				**
				**
				**

  

REJECTED EXECUTORY CONTRACTS/LEASES	
Creditor Name	Description of Collateral

  

LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS							
Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				N/A	n/a		
				N/A	n/a		
	HOA	3	\$47	N/A	n/a	\$47.00	Residence
				N/A	n/a		

  

STD - SECURED DEBTS @ FMV							
Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				5.00			
				5.00			
				5.00			
				5.00			

  

STD - SECURED DEBTS @ 100%							
Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	910-The Money Store	4	\$5,000	5.00	\$45	\$106.07	2001 GMC Yukon
				5.00			
				5.00			
				5.00			
				5.00			

  

<b>ATTORNEY FEE (Unpaid part)</b>	<b>Amount</b>
Law Offices of John T. Orcutt, P.C.	\$2,500
<b>SECURED TAXES</b>	<b>Secured Amt</b>
IRS Tax Liens	
Real Property Taxes on Retained Realty	
<b>UNSECURED PRIORITY DEBTS</b>	<b>Amount</b>
IRS Taxes	\$7,764
State Taxes	\$7,980
Personal Property Taxes	
Alimony or Child Support Arrearage	
<b>CO-SIGN PROTECT (Pay 100%)</b>	<b>Int.%      Payoff Amt</b>
All Co-Sign Protect Debts (See*)	
<b>GENERAL NON-PRIORITY UNSECURED</b>	<b>Amount**</b>
DMI= <b>\$1,916</b>	<b>\$114,960</b>

  

PROPOSED CHAPTER 13 PLAN PAYMENT			
\$	<b>\$2,514</b>	per month for	<b>60</b> months, then
\$	N/A	per month for	N/A months.
Adequate Protection Payment Period:			<b>1.06</b> months.
Sch D # = The number of the secured debt as listed on Schedule D.			
Adequate Protection = Monthly 'Adequate Protection' payment amt.			
† = May include up to 2 post-petition payments.			
* Co-sign protect on all debts so designated on the filed schedules.			
** = Greater of DMI x ACP or EAE (Page 4 of 4)			
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Other Miscellaneous Provisions	
Plan to allow for 3 "waivers".	
See attached addendum	

## **PLAN ADDENDUM**

Debtor's spouse is not included in the definition of Borrower in the Deeds of Trust to Bank of America or Citimortgage. Further, Debtor's spouse does not fall into the category of Borrower or co-signer under Covenant 13 of either Deed of Trust.

As such, the debtor's spouse did not properly join in the conveyance as required under NCGS 39-13.6, and both mortgage holders are to be treated in the plan as general unsecured creditors. *See Beckhart v. Nationwide Trustee Services, Inc., Trustee (In re Beckhart)*, Ch. 11 Case No. 09-07452-8-RDD, Adv. No. 09-00263-8-RDD, 2010 WL 1416807 at \*5, (E.D.N.C., Apr. 2 2010).